



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

*Promoting the wise use of land
Helping build great communities*

MEETING DATE March 17, 2006	CONTACT/PHONE Nick Forester 781-1163	APPLICANT Shields Abernathy	FILE NO. DRC2004-00266
EFFECTIVE DATE March 17, 2006			
SUBJECT: Request by Shields Abernathy for a Minor Use Permit to allow the construction of a 3,000 square foot winery, and access road. No special events or public tasting is proposed. The project will result in the disturbance of approximately 25,000 square feet of a 80 acre parcel. The proposed project is within the Agriculture land use category and is located at 9430 Toyon Way approximately one mile north east from the intersection of Adelaida road and and Klau Mine road and approximately nine miles west from the community of Templeton. The site is in the Adelaida planning area.			
RECOMMENDED ACTION 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Minor Use Permit DRC2004-00266 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION: The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on January 26, 2006 for this project. Mitigation measures are proposed to address biological resources, population/housing and wastewater and are included as conditions of approval.			
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 014-311-046	SUPERVISOR DISTRICT(S) 1
PLANNING AREA STANDARDS: None applicable to this project			
LAND USE ORDINANCE STANDARDS: Section 22.62.050 Minor Use Permit Approval, Section 22.10.140 Setbacks, Section 22.10.090 Heights Chapter 22.18 Parking and loading, Section 22.04.190 Fencing and Screening, Chapter 22.20 Sign Ordinance, Section 22.10.180 Water quality, Section 22.10.120 Noise Standards, Section 22.30.070 Agricultural Processing Uses. Does the project conform to the Land Use Ordinance standards ? : Yes - see discussion			
FINAL ACTION This tentative decision will become final action on the project, effective on the 15 th day following the administrative hearing, or on March 17, 2006, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

EXISTING USES: Residence, accessory structures, vineyard	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Agriculture /scattered residential, <i>East:</i> Agriculture/ scattered residential <i>South:</i> Agriculture/ scattered residential, <i>West:</i> Agriculture /scattered residential	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, Agricultural Commissioner, CDF, Cal Trans, RWQCB, City of Paso Robles	
TOPOGRAPHY: Flat to steeply sloping	VEGETATION: Grapes, oak trees and brush
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: June 18, 2005

DISCUSSION

LAND USE ORDINANCE STANDARDS:

Ordinance Compliance:

The project is subject to Land Use Ordinance section 22.30.070D(2), wineries. Section 22.30.070 sets forth standards for winery development including but not limited to access, setbacks, parking, design, screening, height, lighting and tasting rooms.

<u>Standard</u>	<u>Allowed/Required</u>	<u>Proposed</u>
Minimum Site Area	None (for wineries without special events)	80 acres
Setbacks from property lines: Front, Side, Rear	100 feet	Front: 260 Side: 167 feet Rear: 2300 feet
Setbacks from residences outside of the ownership of the applicant.	200 feet	300 feet
Height	35 feet	20 feet
Parking	1 per 2,000 sq ft active use area (3000/2000=1.5 spaces)	2

As conditioned the project complies with the requirements of the Land Use Ordinance.

COMMUNITY ADVISORY GROUP COMMENTS: This project is out side of the jurisdiction of the Templeton Advisory Group.

AGENCY REVIEW:

Public Works- Recommends approval

Environmental Health –Recommends approval. Water and soils testing required.

Ag Commissioner-Recommends approval

CDF –Issued fire letter(copy attached)

Cal Trans – No comments received

RWQCB- No comments received

City of Paso Robles - No comments received

LEGAL LOT STATUS:

The lot was legally created by recorded map at a time when that was a legal method of creating lots.

EXHIBIT A - FINDINGS

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on January 26, 2006 for this project. Mitigation measures are proposed to address biological resources, population/housing and wastewater and are included as conditions of approval.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the agricultural processing facility does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the agricultural processing facility is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Adelaida Road, a road constructed to handle any additional traffic associated with this project.

ABERNATHY DRC2004-00266
EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development:

1. This approval authorizes the construction of an approximate 3,000 square foot winery building and associated access road..
 - a. Maximum height of the structure is 20 feet.
 - b. This approval does not authorize public wine tasting.
 - c. This approval does not authorize special events.
2. All development shall be consistent with the approved site plan, floor plan, architectural elevations and landscape plans. The siding and roof material used in the construction of the winery structure shall consist of non-reflective materials
3. The applicant shall obtain the following permits in addition to any and all other permits required by ordinance or code. Plans shall be prepared or certified by the licensed architect or engineer of record.
 - a. A building permit to construct the winery
 - b. A grading permit(s) for the parking areas, access roads, and building pad if required.
4. Site and building plans/water storage shall be reviewed by the following agencies. Provide the Department of Planning and Building with letter or other verification that these agencies have reviewed the project, together with any requirements imposed before issuance of a building permit:
 - a. County Fire Department (CDF)
 - b. County Health Department
 - c. Regional Water Quality Control Board

Water

5. **At the time of application for construction permits**, the applicant shall submit evidence that there is adequate water to serve the proposal, on the site.

Fire Safety

6. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project. (A copy is attached)
7. Prior to occupancy or final inspection, whichever occurs first, the applicant shall obtain final inspection/approval of all required fire/life safety measures.

8. The applicant shall operate the winery facility in full compliance with the fire safety requirements specified by the County Fire Department.

Wastewater

9. Liquid waste generated by the winery operations must be discharged to a waste water system designed by a civil engineer with expertise in the design of winery wastewater systems and approved by the County Building Official or Regional Water Quality Control Board. Such system shall not create offensive odors or materially impair the quality of groundwater for domestic or agricultural use. Prior to discharge of winery wastewater, the applicant shall obtain approval/permits from the Regional Water Quality Control Board. In no case shall winery wastewater be discharged into a stream or other surface water.
10. Waste Discharge permit or exemption from a permit from the Regional Water Quality Control Board. A copy of the permit or exemption from a permit shall be submitted to the County Planning and Building Department and Environmental Health Department.
11. Solid vegetable waste from the winery (pomace), shall be removed from the site to an approved composting/green waste facility or composted on the site and used as a soil amendment. In no case shall pomace be treated, stored, or disposed of in a manner that could result in runoff into any surface stream.
12. **Prior to occupancy or final building inspection**, the applicant shall submit the following to the County Health Department for review and approval:
 - a. A detailed plan for pomace and solid waste disposal.
 - b. A vector control program for rodent control.

Mitigation

13. At the time of application for construction permits, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio, for the seven trees removed as a result of the development of the project, and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for the one tree impacted but not removed. No more than seven oak trees having a five inch diameter or larger at four feet from the ground shall be removed as a result of the development of the project, and no more than one oak trees shall be impacted, but not removed, as a result of the development of the project. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

14. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval

On-going conditions of approval (valid for the life of the project)

Cultural Resources

15. In the event that archeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - a. Construction activities shall cease, and the Environmental Coordinator and the Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - b. In the event archaeological resources are found to include human remains, or in any case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that the proper disposition may be accomplished.

Noise

16. The project shall comply with the County Noise Element: From 7:00 a.m. to 10:00 p.m.(daytime), noise levels at the property line shall not exceed an hourly average of 50 dB, with a maximum level of 70 dB, and a maximum impulsive noise level of 65dB. From 10:00 p.m. to 7:00 a.m. (nighttime), noise levels at the property line shall not exceed an hourly average of 45dB, with a maximum level of 65dB and maximum impulsive noise level of 60dB.

Exterior Lighting

17. All exterior lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from any location off the project site. All lighting poles, fixtures and hoods shall be dark colored. No exterior light shall be installed or operated in a manner that would throw light, either reflected or directly in an upward manner.

Outdoor Storage

18. Long term outdoor winery storage areas shall be screened by solid fencing or landscaping and shall not be higher than the associated solid fence screening or landscaping, unless the storage area is not visible from any public road or adjacent properties.
19. Any water tanks associated with the project shall be a neutral, non contrasting color, and landscape screening shall be provided so that the water tanks are not visible from any public road.

Time Limits

20. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
21. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.



COUNTY OF SAN LUIS OBISPO
MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

FOR OFFICIAL USE ONLY (NF)

ENVIRONMENTAL DETERMINATION NO. ED05-207

DATE: February 2, 2006

PROJECT/ENTITLEMENT: Abernathy Minor Use Permit DRC2004-00266

APPLICANT NAME: Shields Abernathy

ADDRESS: 1050 Las Tablas, Paso Robles, CA 93465

CONTACT PERSON: Same as applicant

Telephone: 805-434-1000

PROPOSED USES/INTENT: Request by Shields Abernathy to allow for the establishment of a 3,000 square foot winery and access road, which will result in the disturbance of approximately 25,000 square feet on an 80 acre parcel. There are no special events or public tasting proposed.

LOCATION: The proposed project is within the Agriculture land use category, and is located at 9340 Toyon Way (east side), approximately one mile east of the intersection of Adelaida Road and Klau Mine Road, approximately 9 miles west of the community of Templeton, in the Adelaida planning area

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
County Government Center, Rm. 310
San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: None

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT5 p.m. on February 16, 2006

30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as ☐ *Lead Agency*
☐ *Responsible Agency* approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency

California Department of Fish and Game
CERTIFICATE OF FEE EXEMPTION
De Minimis Impact Finding

PROJECT TITLE & NUMBER: Abernathy Minor Use Permit DRC2004-00266/ED05-207

Project Applicant

Name: Shields Abernathy
Address: 1050 Las Tablas Road
City, State, Zip Code: Templeton, CA 93465
Telephone #: (805) 434-1000

PROJECT DESCRIPTION/LOCATION: See attached Notice of Determination

FINDINGS OF EXEMPTION:

There is no evidence before this agency that the proposed project has the potential for adverse effect on wildlife resources for one or more of the following reason(s):

- () The project is located in an urbanized area that does not contain substantial fish or wildlife resources or their habitat.
- () The project is located in a highly disturbed area that does not contain substantial fish or wildlife resources or their habitat.
- (X) The project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.
- () The applicable filing fees have/will be collected at the time of issuance of other County approvals for this project. Reference Document Name and No. ____ .
- () Other: ____

CERTIFICATION:

I hereby certify that the lead agency has made the above findings of fact and that, based upon the initial study and the hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.


Ellen Carroll, Environmental Coordinator
County of San Luis Obispo

Date: February 2, 2006



**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

Project Title & No. Abernathy Minor Use Permit DRC2004-00266, ED 05-207

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input type="checkbox"/> Aesthetics <input type="checkbox"/> Agricultural Resources <input type="checkbox"/> Air Quality <input checked="" type="checkbox"/> Biological Resources <input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology and Soils <input type="checkbox"/> Hazards/Hazardous Materials <input type="checkbox"/> Noise <input checked="" type="checkbox"/> Population/Housing <input type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Recreation <input type="checkbox"/> Transportation/Circulation <input checked="" type="checkbox"/> Wastewater <input type="checkbox"/> Water <input type="checkbox"/> Land Use
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DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Nick Forester
Prepared by (Print)

Nick Forester
Signature

1-26-06
Date

Jeff Oliveira
Reviewed by (Print)

[Signature]
Signature

Ellen Carroll,
Environmental Coordinator
(for)

1/26/06
Date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by Shields Abernathy to allow for the establishment of a 3,000 square foot winery and access road, which will result in the disturbance of approximately 25,000 square feet on an 80 acre parcel. There are no special events or public tasting proposed. The proposed project is within the Agriculture land use category, and is located at 9340 Toyon (east side) approximately one mile east of the intersection of Adelaida Road and Klau Mine Road, approximately 9 miles west of the community of Templeton, in the Adelaida planning area.

ASSESSOR PARCEL NUMBER(S): 014-311-046

SUPERVISORIAL DISTRICT # 1

B. EXISTING SETTING

PLANNING AREA: Adelaida, Rural

LAND USE CATEGORY: Agriculture

COMBINING DESIGNATION(S): None

EXISTING USES: Residence , accessory structures

TOPOGRAPHY: Nearly level to steeply sloping

VEGETATION: Chaparral , oak woodland , scattered oaks

PARCEL SIZE: 80 acres

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Agriculture; agricultural uses	<i>East:</i> Agriculture; agricultural uses
<i>South:</i> Agriculture; agricultural uses	<i>West:</i> Agriculture; residential

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant

environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1. AESTHETICS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Create an aesthetically incompatible site open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Introduce a use within a scenic view open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Change the visual character of an area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create glare or night lighting, which may affect surrounding areas?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Impact unique geological or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The project site is located at 9430 Toyon Way approximately one half mile north of Adelaida Road and approximately 9 miles west from the community of Templeton in an area that is predominately large Agriculture zoned parcels. The neighboring uses include dry farming, parcels planted with vineyards, and parcels with rural home sites. The topography on the site is gently sloping with a portion of the site planted in vineyards. The wine processing facility is proposed to be located approximately 165 feet from the eastern property line.

Impact. The wine processing facility will be located in a new 3,000 square foot building. The building will not be visible from any public road and no visual impacts are anticipated. The project has the potential to create night lighting and glare that could impact surrounding residential uses.

Mitigation / Conclusion. The Land Use Ordinance requires that exterior lighting be hooded and directed downward. As such, the project has been conditioned so that at the time of application for construction permits, the applicant shall provide an exterior lighting plan. The plan shall include the height, location, and intensity of all exterior lighting. There is no evidence that measures above what will already be required by ordinance or codes are needed.

2. AGRICULTURAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Convert prime agricultural land to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Impair agricultural use of other property or result in conversion to other uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. AGRICULTURAL RESOURCES

- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The soil types include: Linne-Zakme complex, (30 - 50 % slope); Nacimiento-Ayar complex, (30 - 50 % slope); Linne-Calodo complex, (9 - 30 % slope); Linne-Calodo complex, (30 - 50 % slope); Linne-Calodo complex, (50 - 75 % slope). As described in the Natural Resource Conservation Service Soil Survey, the "non-irrigated" soil class is "IV to VII", and the "irrigated" soil class is "NA to III".

Impact. The project is located in a predominantly agricultural area and the proposed use is an agricultural use. No significant impacts to agricultural resources are anticipated.

Mitigation/Conclusion. No mitigation measures are necessary.

3. AIR QUALITY - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The Air Pollution Control District (APCD) has developed the 2003 CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

Impact. As proposed, the project will result in the disturbance of approximately 25,000 square feet. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day

of pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

Mitigation/Conclusion. No mitigation measures are necessary.

4. BIOLOGICAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The following habitats were observed on the proposed project: Grasses , chaparral, oak woodland and scattered oaks. Based on the latest California Diversity database and other biological references, the following species or sensitive habitats were identified:

Plants: None

Wildlife: None

KEY: FE-Federally Endangered; PFE-Proposed Listing-Federally Endangered; FT-Federally Threatened; PFT-Proposed listing-Federally Threatened; FC-Federal Candidate; FSC-Federal Species of Concern (no longer used); FD - Federally delisted SE-State Endangered; SCE-State Endangered Candidate for listing; ST-State Threatened; SCT-State Threatened Candidate for listing; SR-State Rare; CSC- CA Special Concern Species; FP-CDFG Fully Protected; List 1A-CNPS Presumed extinct in CA; List 1B-CNPS Rare or Endangered in CA & elsewhere; List 2-CNPS Rare or Endangered in CA, but common elsewhere; List 3-CNPS Plants needing more info (Review List); List 4-CNPS Plants of limited distribution (Watch List).

Habitats: Coastal Oak Woodland (Low 10 to 33% Density)

Impact. The project as proposed will result in the removal of seven oak trees and will impact one oak tree.

Mitigation/Conclusion. The applicant has agreed to replant twentyeight oak trees (a 4:1 ratio), to mitigate for the seven trees that are to be removed. The applicant has agreed to replant two oak trees (a 2:1 ratio), to mitigate for the one oak tree that is to be impacted.

5. CULTURAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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5. CULTURAL RESOURCES -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Disturb pre-historic resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Disturb historic resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb paleontological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The project is located in an area historically occupied by the Salinan . No historic structures are present and no paleontological resources are known to exist in the area.

Impact. The project is not located in an area that would be considered culturally sensitive due to lack of physical features typically associated with prehistoric occupation. No evidence of cultural materials was noted on the property. Impacts to historical or paleontological resources are not expected.

Mitigation/Conclusion. No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary.

6. GEOLOGY AND SOILS -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Be within a California Geological Survey "Alquist-Priolo Earthquake Fault Zone"?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Change rates of soil absorption, or amount or direction of surface runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Include structures located on expansive soils?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

6. GEOLOGY AND SOILS -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. GEOLOGY - The topography of the project is nearly level. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered high. The liquefaction potential during a ground-shaking event is considered low..

No active faulting is known to exist on or near the subject property. The project is not within a known area containing serpentine or ultramafic rock or soils.

DRAINAGE – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek (an unnamed stream) from the proposed development is approximately 0.1 mile to the north. As described in the Natural Resource Conservation Service Soil Survey, the soil is considered very poorly to not well drained. For areas where drainage is identified as a potential issue, the LUO (Sec. 22.52.080) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

SEDIMENTATION AND EROSION – The soil types include: Linne-Zakme complex, (30 - 50 % slope); Nacimiento-Ayar complex, (30 - 50 % slope); Linne-Calodo complex, (9 - 30 % slope); Linne-Calodo complex, (30 - 50 % slope); Linne-Calodo complex, (50 - 75 % slope). As described in the NRCS Soil Survey, the soil surface is considered to have low to moderate erodibility and moderate to high shrink-swell characteristics.

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

Impact. As proposed, the project will result in the disturbance of approximately 25,000 square feet.

Mitigation/Conclusion. There is no evidence that measures above what will already be required by ordinance or codes are needed.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The project is not located in an area of known hazardous material contamination. The project is not within a high severity risk area for fire. The project is not within the Airport Review area.

Impact. The project does not propose the use of hazardous materials. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan.

Mitigation/Conclusion. No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The project is not within close proximity of loud noise sources, and will not conflict with any sensitive noise receptors (e.g., residences). Based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area.

Impact. The project is not expected to generate loud noises, nor conflict with the surrounding uses.

Mitigation/Conclusion. No significant noise impacts are anticipated, and no mitigation measures are necessary.

9. POPULATION/HOUSING - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

Impact. The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. No significant population and housing impacts are anticipated, and no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES - <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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10. PUBLIC SERVICES/UTILITIES -
*Will the project have an effect upon,
or result in the need for new or
altered public services in any of the
following areas:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station (Las Tablas Station 35) is approximately 5 miles to the west. The closest Sheriff substation is in Templeton, which is approximately 17 miles from the proposed project. The project is located in the Paso Robles Joint Unified School District.

Impact. No significant project-specific impacts to utilities or public services were identified. This project, along with others in the area, will have a cumulative effect on police and fire protection, and schools. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

Mitigation/Conclusion. Regarding cumulative effects, public facility (county) and school (State Government Code 65995 et seq) fee programs have been adopted to address this impact, and will reduce the cumulative impacts to less than significant levels.

11. RECREATION - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The County Trails Plan does not show that a potential trail goes through the proposed project. The project is not proposed in a location that will affect any trail, park or other recreational

resource.

Impact. The proposed project will not create a significant need for additional park or recreational resources.

Mitigation/Conclusion. (No significant recreation impacts are anticipated, and no mitigation measures are necessary.)

12. TRANSPORTATION/ CIRCULATION - <i>Will the project:</i>		Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	<i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	<i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h)	<i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i)	<i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. Future development will access onto the following public road(s): Adelaida Road. The identified roadway is operating at acceptable levels. Referrals were sent to Public Works. No significant traffic-related concerns were identified.

Impact. The applicant states that one worker will drive to the site about three times per week. Truck traffic related to processing is estimated to be only several trips per year. Truck traffic related to

distribution will be either one large truck per year or a maximum of three UPS vans per week.

Mitigation/Conclusion. No significant traffic impacts were identified, and no mitigation measures are necessary.

13. WASTEWATER - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. As described in the NRCS Soil Survey (see Geology section for soil types), the main limitations for on-site wastewater systems relates to: slow percolation, steep slopes, shallow depth to bedrock. These limitations are summarized as follows:

Shallow Depth to Bedrock – indicates that there may not be sufficient soil depth to provide adequate soil filtering of effluent before reaching bedrock. Once effluent reaches bedrock, chances increase for the effluent to infiltrate cracks that could lead directly to groundwater sources or near wells without adequate filtering, or allow effluent to daylight where bedrock is exposed to the earth's surface. To comply with the Central Coast Basin Plan, additional information is needed prior to issuance of a building permit, such as borings at leach line locations, to show that there will be adequate separation between leach line and bedrock.

Steep Slopes – where portions of the soil unit contain slopes steep enough to result in potential daylighting of wastewater effluent. To comply with the Central Coast Basin Plan, additional information is needed prior to issuance of a building permit, such as slope comparison with leach line depths, to show that there is no potential of effluent "daylighting" to the ground surface.

Slow Percolation – is where fluid percolates too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be less than 120 minutes per inch. To achieve compliance with the Central Coast Basin Plan, additional information will be needed prior to issuance of a building permit that shows the leach area can adequately percolate to achieve this threshold.

Impact. The project proposes to use an on-site system as its means to dispose of wastewater. Based on the proposed project, adequate area appears available for an on-site system.

Mitigation/Conclusion. The leach lines shall be located at least 100 feet from any private well and at least 200 from any community/public well. Prior to building permit issuance, the septic system will be

evaluated in greater detail to insure compliance with the Central Coast Basin Plan for any constraints listed above, and will not be approved if Basin Plan criteria cannot be met.

Winery waste water systems are reviewed and permitted by the California Regional Water Quality Control Board. There is no evidence that measures above code and ordinance are required.

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The project proposes to use an on-site well as its water source. The Environmental Health Division has reviewed the project for water availability and has determined that there is preliminary evidence that there will be sufficient water available to serve the proposed project. Based on available information, the proposed water source is not known to have any significant availability or quality problems.

The topography of the project is gently sloping to moderately sloping. The closest creek (an unnamed stream) from the proposed development is approximately 0.1 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have low to moderate erodibility.

Projects involving more than one acre of disturbance are subject to preparing a Storm Water Pollution Prevention Plan (SWPPP) to minimize on-site sedimentation and erosion. When work is done in the rainy season, the County Ordinance requires that temporary sedimentation and erosion control measures be installed during the rainy season.

Regarding surface water quality, as proposed, the project will result in the disturbance of approximately 25,000 square feet.

Mitigation/Conclusion. Since no potentially significant water quantity or quality impacts were identified, no specific measures above standard requirements have been determined necessary. Standard drainage and erosion control measures will be required for the proposed project and will

provide sufficient measures to adequately protect surface water quality.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

Mitigation/Conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-</i>				

sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of

California history or prehistory?

☐☒☐☐

- b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)**

☐☒☐☐

- c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

☐☐☒☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ceqa/guidelines/" for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	In File**
<input checked="" type="checkbox"/>	County Environmental Health Division	In File**
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	In File**
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	In File**
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input type="checkbox"/>	CA Department of Forestry	Not Applicable
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input type="checkbox"/>	Community Service District	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable

** "No comment" or "No concerns"-type responses are usually not attached

The following checked (☒) reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

☒ Project File for the Subject Application

County documents

- ☐ Airport Land Use Plans
- ☒ Annual Resource Summary Report
- ☐ Building and Construction Ordinance
- ☐ Coastal Policies
- ☒ Framework for Planning (Coastal & Inland)
- ☒ General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:
 - ☒ Agriculture & Open Space Element
 - ☒ Energy Element
 - ☒ Environment Plan (Conservation, Historic and Esthetic Elements)
 - ☒ Housing Element
 - ☒ Noise Element
 - ☐ Parks & Recreation Element
 - ☒ Safety Element
- ☒ Land Use Ordinance
- ☐ Real Property Division Ordinance
- ☐ Trails Plan
- ☐ Solid Waste Management Plan

- ☐ Area Plan and Update EIR
- ☐ Circulation Study

Other documents

- ☒ Archaeological Resources Map
- ☒ Area of Critical Concerns Map
- ☒ Areas of Special Biological Importance Map
- ☒ California Natural Species Diversity Database
- ☒ Clean Air Plan
- ☒ Fire Hazard Severity Map
- ☒ Flood Hazard Maps
- ☒ Natural Resources Conservation Service Soil Survey for SLO County
- ☒ Regional Transportation Plan
- ☒ Uniform Fire Code
- ☒ Water Quality Control Plan (Central Coast Basin – Region 3)
- ☒ GIS mapping layers (e.g., habitat, streams, contours, etc.)
- ☐ Other _____

Exhibit B - Mitigation Summary Table

At the time of application for construction permits, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio, for the seven trees removed as a result of the development of the project [*and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for the one tree impacted but not removed*]. No more than seven [*oak trees having a five inch diameter or larger at four feet from the ground*] shall be removed as a result of the development of the project, and no more than one oak trees shall be impacted, but not removed, as a result of the development of the project. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer). [*An oak tree is defined as having a five inch diameter or larger at four feet from the ground.*]

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

Date: January 12, 2006

**DEVELOPER'S STATEMENT FOR
ABERNATHY WINERY MINOR USE PERMIT DRC2004-00266**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

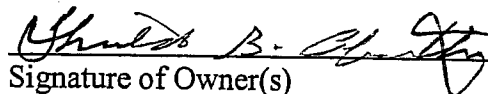
At the time of application for construction permits, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio for all oak trees removed as a result of the development of the project, and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not removed. No more than seven oak trees having a five inch diameter or larger at four feet from the ground shall be removed as a result of the development of the project, and no more than one trees shall be impacted, but not removed, as a result of the development of the project. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

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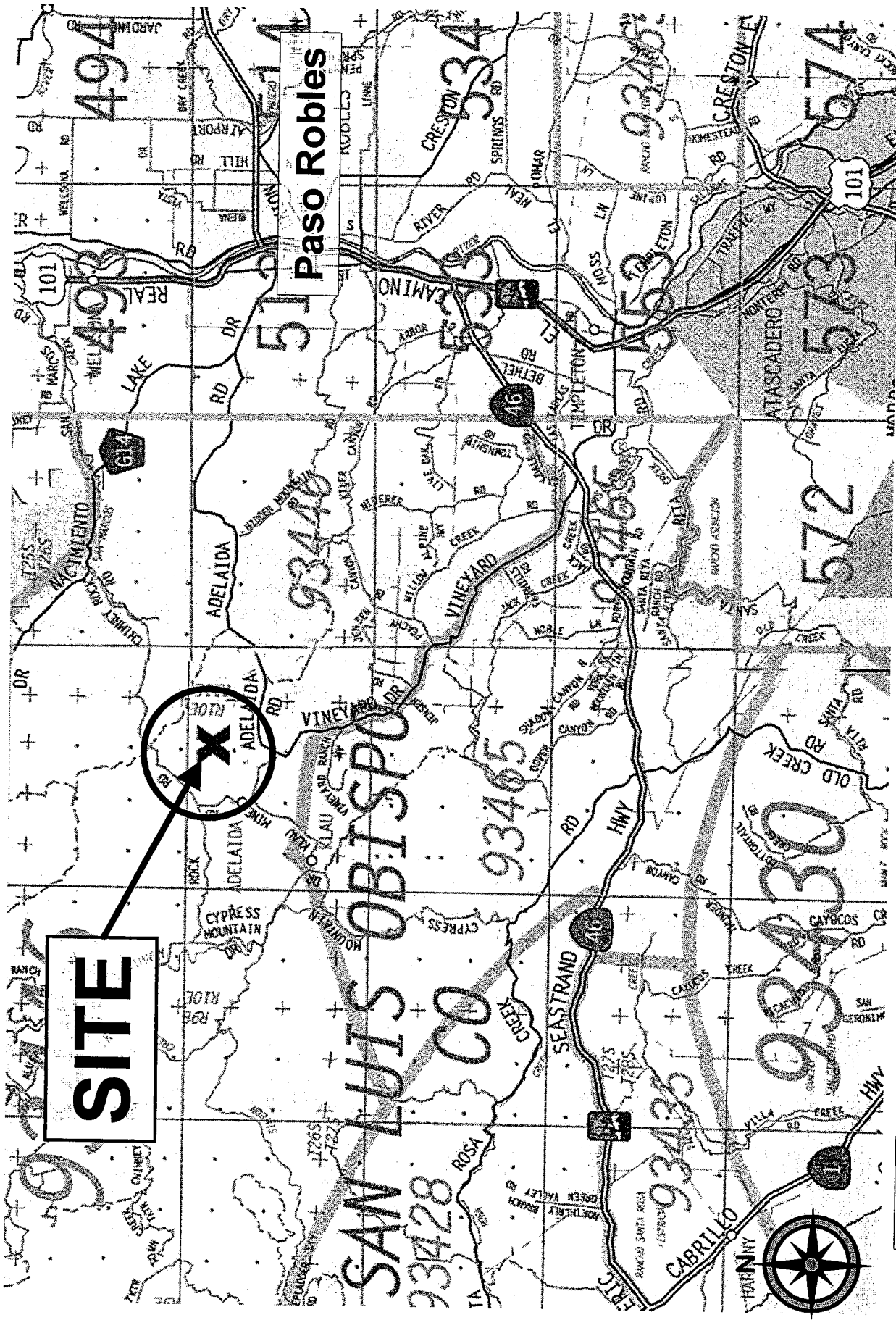
Monitoring: Compliance will be verified by the Environmental Coordinator

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.


Signature of Owner(s)

1/12/06
Date

Shields Abernathy
Name (Print)



PROJECT

Minor Use Permit
Abernathy DRC2004-00266



EXHIBIT

Vicinity Map



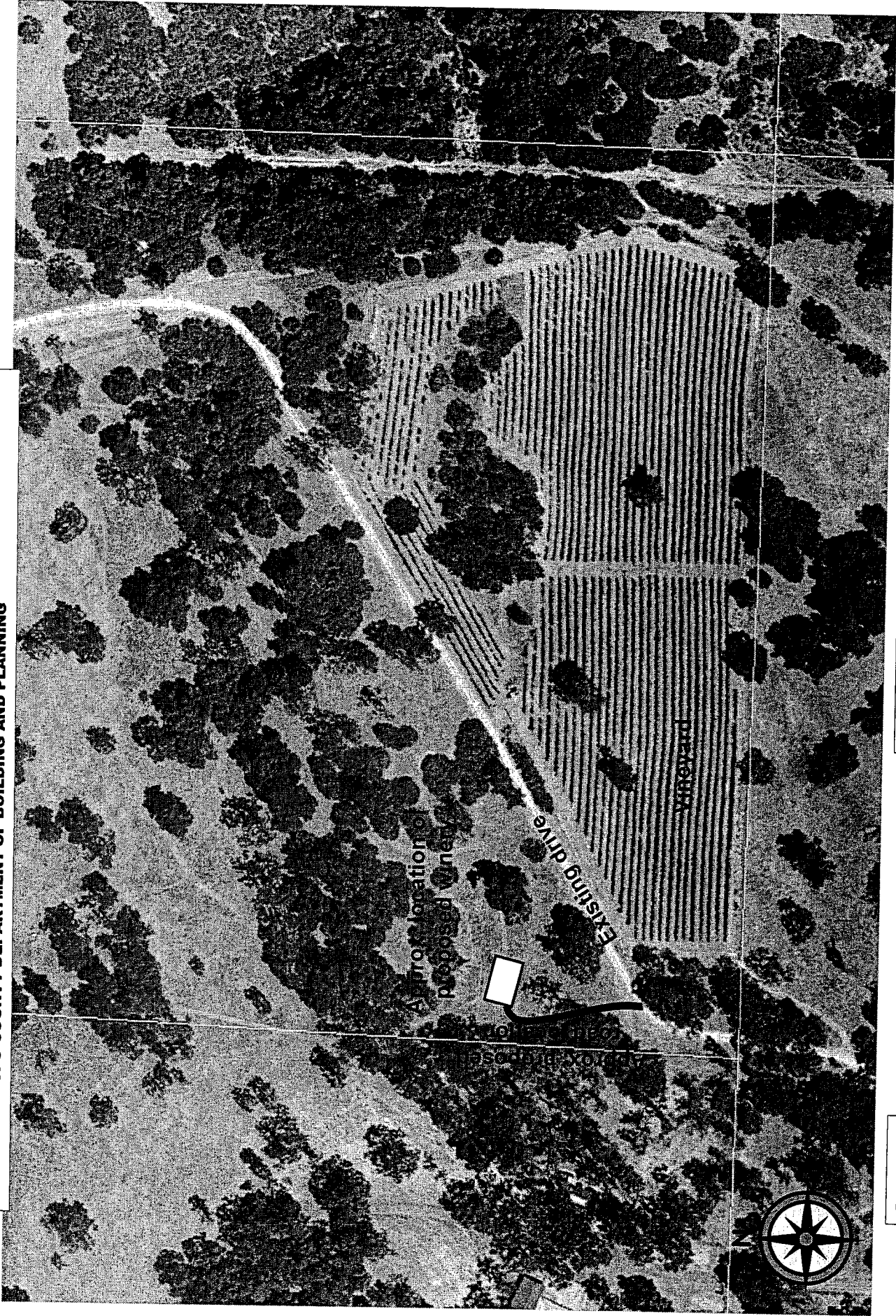
EXHIBIT

Aerial Photograph



PROJECT

Minor Use Permit
Abernathy DRC2004-00266



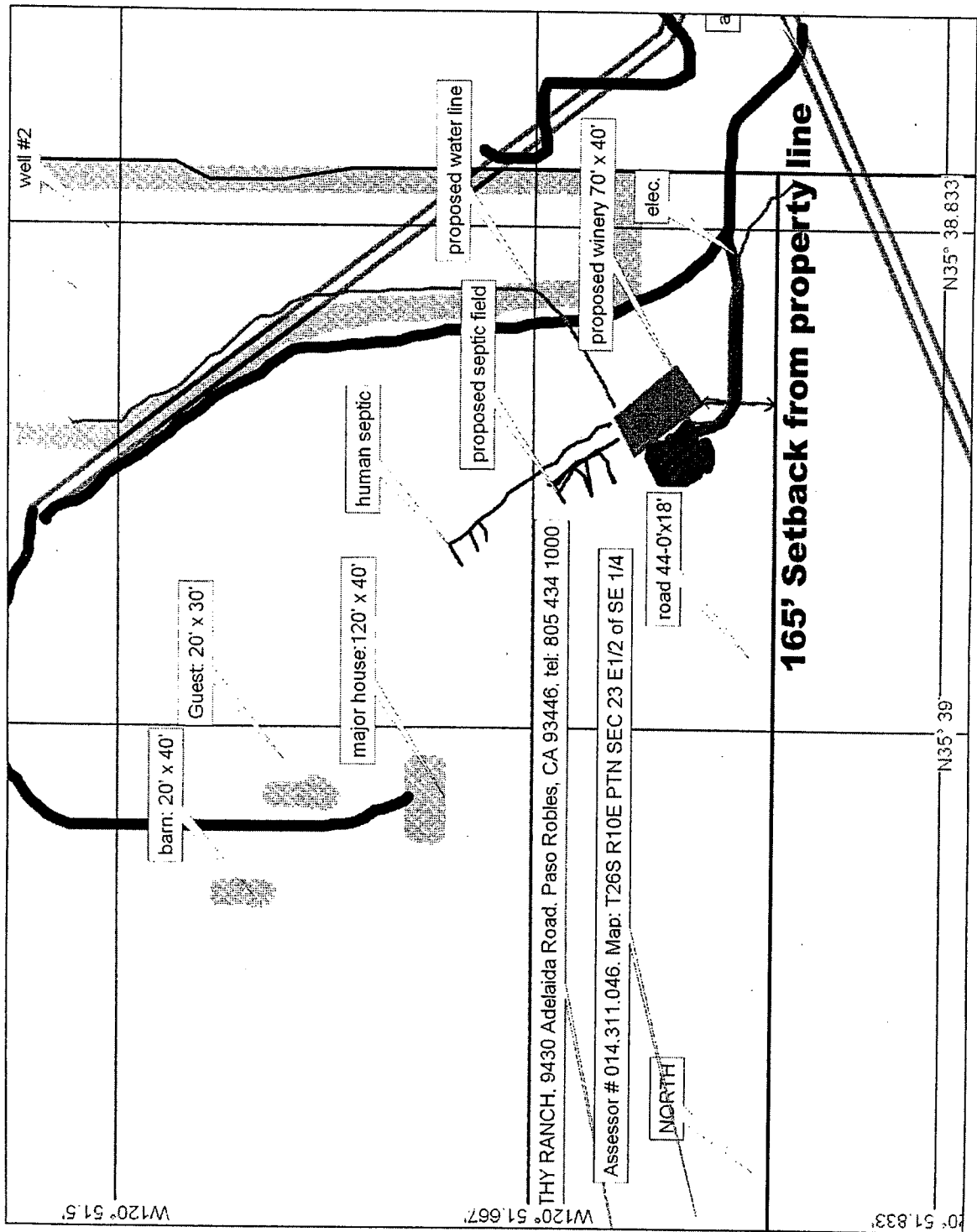
PROJECT

Minor Use Permit
Abernathy DRC2004-00266



EXHIBIT

Aerial Photograph



© 2001 DeLorme, Topo USA® 3.0
 Scale: 1 : 3,200 Zoom Level: 15-0 Datum: WGS84 Map Rotation: 90° Magnetic Declination: 14.5°E

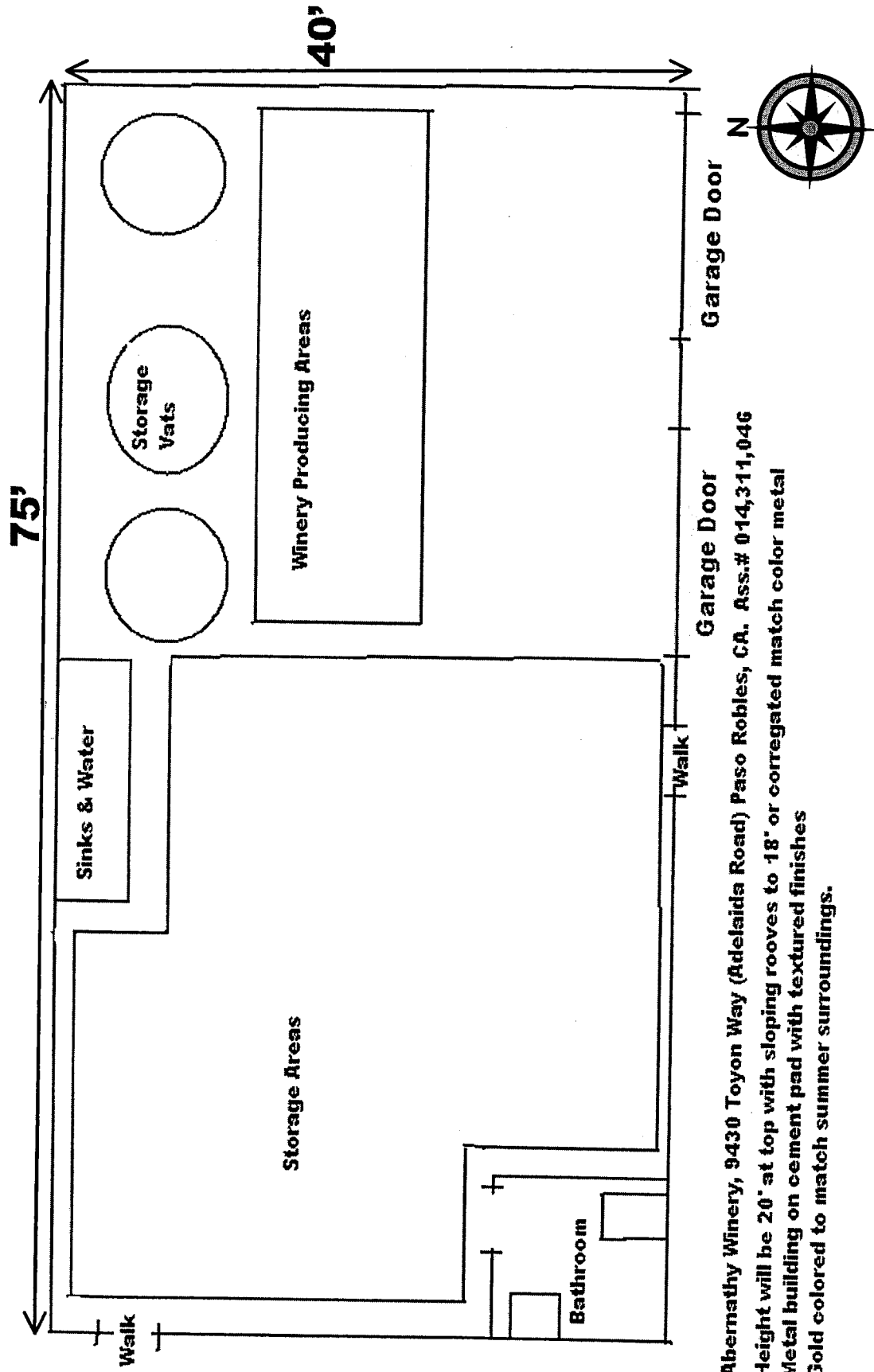
PROJECT

Minor Use Permit
 Taylor DRC2003-00013



EXHIBIT

Site Plan



Abernathy Winery, 9430 Toyon Way (Adelaida Road) Paso Robles, CA. Ass.# 014,311,046
 Height will be 20' at top with sloping rooves to 18' or corrugated match color metal
 Metal building on cement pad with textured finishes
 Gold colored to match summer surroundings.

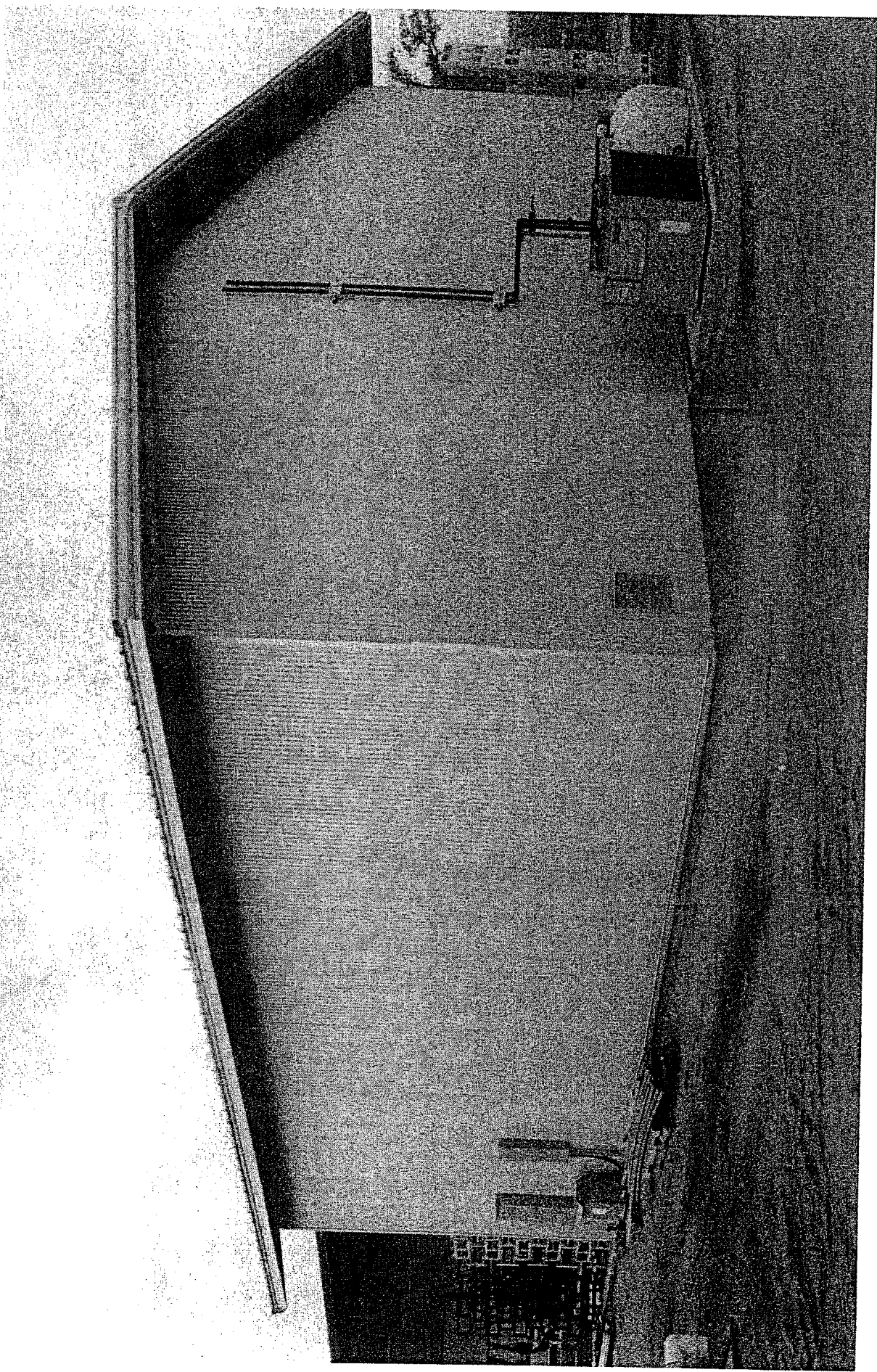
PROJECT

Minor Use Permit
 Abernathy DRC2004-00266



EXHIBIT

Floor Plan



PROJECT

Minor Use Permit
Abernathy DRC2004-00266



EXHIBIT

Typical winery building



COUNTY OF SAN LUIS OBISPO

Department of Agriculture/Measurement Standards

2156 SIERRA WAY, SUITE A • SAN LUIS OBISPO, CALIFORNIA 93401-4556
ROBERT F. LILLEY (805) 781-5910
AGRICULTURAL COMMISSIONER/SEALER FAX (805) 781-1035

AgCommSLO@co.slo.ca.us

DATE: July 13, 2005
TO: Nick Forester, Project Manager
FROM: Lynda L. Auchinachie, Agriculture Department *LA*
SUBJECT: Abernathy Minor Use Permit DRC2004-00266 (1052)

Summary of Findings

The applicant is requesting a Minor Use Permit to construct a 3,000 square foot winery on an 80-acre parcel located at 9430 Toyon Way. The Agriculture Department's review finds that the proposed winery with no public events will have:

- ☐ **Potential** to create a significant environmental impact(s) to agricultural resources or operations.
- ☒ **Less than significant impact(s)** to agricultural resources or operations because the project will not result in the conversion of prime agricultural soils or be incompatible with existing on-site or adjacent agricultural uses. The proposed project is consistent with all applicable Agriculture and Open Space Element policies and appears consistent with AB1492 requirements for incidental development.
- ☐ **No anticipated impact** to agricultural resources or operations. because the project will not result in the conversion of prime agricultural soils or be incompatible with existing on-site or adjacent agricultural uses. The proposed project is consistent with all applicable Agriculture and Open Space Element policies.

Comments and recommendations are based on policies in the San Luis Obispo County Agriculture and Open Space Element, the Land Use Ordinance, the California Environmental Quality Act (CEQA), and on current departmental policy to conserve agricultural resources and to provide for public health, safety and welfare while mitigating negative impacts of development to agriculture.

If you have questions, please call 781-5914.

NF



CDF/San Luis Obispo County Fire Department

635 North Santa Rosa Street • San Luis Obispo • California • 93405
Phone: 805-543-4244 • Fax: 805-543-4248

County of San Luis Obispo
Department of Planning\Building
County Government Center
San Luis Obispo, CA 93408

Subject: Abernathy/DRC2004-00266

Dear North County Team,

I have reviewed the development plan application you submitted for the winery project located at 9430 Toyon Way, Paso Robles. The project is within a high fire severity zone with a 15 minute response time from the nearest County Fire Station. The project and applicant shall comply with the 2001 California Fire Code (CFC), the 2001 California Building Code (CBC), the Public Resources Code (PRC) and any other applicable fire laws.

Roof Coverings:

The roof type will have to be consistent with the requirements of Table 15A of the 2001 CBC and no less than a Class 'B' roof.

Roof Access:

- All buildings over 18 feet in height will have fixed laddering at two exterior remote locations or provide landscaping which reduces the ladder access height to 18 feet. The exception to this requirement is if the building has a protected stairway to the roof.

Fire Flow Requirements:

Must comply with the requirements outlined in the Water Supply Standard which is available on the website, www.cdfslo.org on the permits page.

Water Supply Connection:

Fire hydrants are to be located as outlined in Appendix III B of the CFC. Plans shall be submitted to the County Fire Department for approval of the distribution system and hydrant locations. Fire hydrants shall have two, 2 ½ inch outlets with National Standard Fire threads and one 4 inch suction outlet with National Standard Fire threads and comply with County Standard W-1. Each hydrant shall be identified by a blue reflective dot located on a non-skid surface located just off of center on the fire hydrant side. Hydrants must be protected from vehicle impact with the use of curbing or bollards.

Fire Protection Systems:

A Fire Alarm System is required as outlined in CBC 310.10 for all buildings over 2000 sq. ft. The alarm system shall terminate at a 24-hour monitoring point (CFC 1003.1). Two sets of plans shall be submitted to the County Fire Department for approval.

Portable Fire Extinguishers:

Portable fire extinguishers shall be installed in all the occupancies in compliance with the CFC 1002 and Standards 10-1. The contractor shall be licensed by the State Fire Marshal.

Exiting:

All egress and exiting requirements shall comply with the California Building Code to provide egress from the building to the public way.

Building Set Backs:

A minimum 30-foot setback shall be provided from all property lines, PRC 4290, Section 1276.01.

Note: Setbacks are subject to County Planning Department approval.

Defensible Space and Construction Type:

Each building site will be built with a "Defensible Space". PRC 4291 requires all structures to have a 30 to 100 feet clearance of flammable vegetation. This does not mean all vegetation must be removed but that the vegetation shall not provide a means of readily transmitting fire. Building sites should be located so that the structure is not directly above or below a topographic "chimney." The construction type should be designed to withstand a wildfire. This would include a class A roof, unexposed venting, fire resistant exterior walls, unexposed rafters, windows appropriately placed, LPG tanks properly placed, fire resistive decks and balconies, and other fire resistive construction techniques. All landscaping should be of fire resistive plants, preferably natives as listed on the County approved plant list. A Wildland Fire/Vegetation Management Plan must be developed and approved by CDF.

Commercial Access Road:

- A commercial access road must be 20 feet wide for two way traffic.
- A commercial access road must be 16 feet wide for one way traffic (only allowed in limited circumstances).
- Parking is only allowed where an additional 8 feet of width is added for each side of the road that has parking.
- "No Parking - Fire Lane" signs will be required.
- Fire lanes shall be provided as set forth in the California Fire Code Section 902.
- Fire access shall be provided within 150 feet of the outside building perimeter.
- Must be an all weather non-skid paved surface.
- All roads must be able to support a 20 ton fire engine.
- Vertical clearance of 13'6" is required (See Exhibit 5).

Gates:

- Must be setback from the road 30 feet from the intersection.
- Must automatically open with no special knowledge.
- Must have a KNOX key box for fire department access.
- Gate must have battery back up.
- Gate must be 2 feet wider than the road on each side.
- Gates must have a turnaround located at each gate.

Addressing:

Address numbers must be legible from the roadway and on all buildings. They shall be on a contrasting background and a minimum of 5 inches high with a ½" stroke. All occupancies shall have a distinct address. A monument sign displaying the location of all buildings in the complex must be displayed in a prominent location at the entrance to the facility. CFC 901.4.4.

Fire Safety during Construction:

Prior to construction, an operational water supply system and established access roads must be installed. CFC Section 902 & 903. During construction all applicable Public Resources Codes must be complied with to prevent a wildfire. These will include the use of spark arresters, adequate clearance around welding operations, smoking restrictions and having extinguishers on site. The Industrial Operations Fire Prevention Field Guide will assist the applicant.

If I can provide additional information or assistance on this matter please don't hesitate to contact me at (805)543-4244.

Sincerely,

A handwritten signature in black ink, appearing to read "Gilbert R. Portillo", with a stylized flourish at the end.

Gilbert R. Portillo

Fire Inspector

c: Mr. Shields Abernathy, owner



SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 6/20/05
TO: Bldg. Div.
FROM: North Co. Team
(Please direct response to the above)

Abernathy
DRC 2004-00266
Project Name and Number

Development Review Section (Phone: 788-2009) *OR ASK THE SWITCH-BOARD FOR THE PLANNING

PROJECT DESCRIPTION: Winery map/no tasting. 3000 s.f.
winery, production only. Located off Toyon Wy. outside
Paso Robles. 80 acres. APN: 014-311-046

Return this letter with your comments attached no later than:

7/6/05

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

X YES
 NO

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

 NO (Please go on to Part III)
 YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

ENTIRE SCOPE OF WORK PREPARED BY LICENSED
ARCHITECT OR REGISTERED ENGINEER. SITE AND
FACILITY MUST BE ACCESSIBLE TO DISABLED/INTERCHANGING
SEWER DESIGN BY ENGINEER. INDUSTRIAL WASTE WATER
DISPOSAL REQUIRES WQCB. GENERAL RULES EXCEPTION
APPROVAL.

Date 6/22/05

Name Bob Murray

Phone 5709



San Luis Obispo County
DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

DATE:

6/20/05

FROM

PW

FROM
TO

North Co. Team

(Please direct response to the above)

VICTOR HOLANDA, AICP
DIRECTOR

JUN 21 2005

Abernathy

DRC 2004-00266

Project Name and Number

Development Review Section (Phone:

788-2009

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BOARD FOR THE PLANNING

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PART I

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PART II

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YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

No WINERY QUESTIONNAIRE? PROBS ON SITE production only?
Any TRUCK TRIPS? IF NOT - NO CONCERNS

22 July 2005
Date

Goodwin
Name

5252
Phone



NF

10

RECEIVED
SAN LUIS OBISPO COUNTY
JUN 1 2005
DEPARTMENT OF PLANNING AND BUILDING

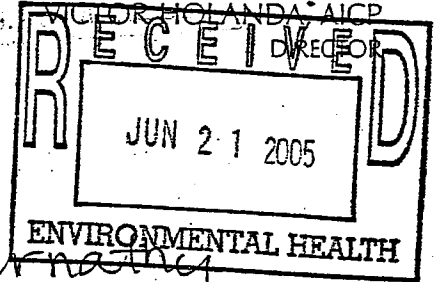
THIS IS A NEW PROJECT REFERRAL

DATE: 6/20/05

TO: Env. Health

FROM: North Co. Team

(Please direct response to the above)



DRC 2004-00266
Project Name and Number

Development Review Section (Phone: 788-2009)

*OR ASK THE SWITCH-
(BOARD FOR THE PLANNING)

PROJECT DESCRIPTION: Winery map/no tasting. 3000 s.f.
winery, production only. Located off Taylor Wy. outside
Paso Robles. 80 acres. APN: 014-311-046

Return this letter with your comments attached no later than: 7/6/05

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

 YES
 NO

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

 NO (Please go on to Part III)
 YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

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Environmental Health recommends obtaining well completion report, pump
test and full water quality to assure well can meet the standards
for domestic use. Septic system should be evaluated for
new development.

10/29/05
Date

X. Salo
Name

781-5551
Phone